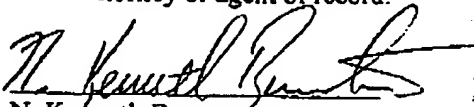


TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT		Modified PTO/SB/26 (10-00) Docket Number (Optional) P6D2-US
In re Application of: Eldridge et al. Application No.: 09/846,490 Filed: April 30, 2001 For: Probe Card Assembly And Kit, And Methods Of Using Same	CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail on <u>February 25, 2002</u> in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. Patti Crowder	
<p>The owner, <u>FormFactor, Inc., a Delaware corporation</u>, of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. <u>5,864,946</u>. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if applicable</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney or agent of record.</p> <p style="text-align: center;">  N. Kenneth Burraston Registration No. 39,923 </p> <p style="text-align: right;"> <u>February 25, 2002</u> Date </p> <p><input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge the terminal disclaimer fee of \$110.00 as well as any additional or other fee deemed necessary for acceptance of this Terminal Disclaimer to Deposit Account No. 50-0285 (order no. P6D2-US).</p> <p><small>*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.</small></p>		


SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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- ☒ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing date of a first Office action on the merits, or (4) the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, then:
- ☐ a statement as specified in §1.97(e) is provided below; **or**
- ☒ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:
- A. a statement as specified in §1.97(e) is provided below; **and**
- B. a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ *Fee Authorization.* Applicants hereby authorize the Director to charge the above fee of \$180.00 to Deposit Account No. 50-0285 (Order No. P6D2-US). Although Applicants believe that no additional fee is due in connection with the filing of this IDS, the Director is hereby authorized to charge any additional fees due, or credit any overpayment associated, with this IDS to Deposit Account No. 50-0285 (Order No. P6D2-US).

Respectfully submitted,

Date: January 10, 2003

By: 
N. Kenneth Burraston
Reg. No. 39,923

FormFactor, Inc.
Legal Department
2140 Research Drive
Livermore, CA 94550
Telephone: (925) 456-3915